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7 Attorney for Isaiah Outlaw

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9 **UNITED STATES DISTRICT COURT**
10 **DISTRICT OF NEVADA**

11 UNITED STATES OF AMERICA,
12
13 Plaintiff,
14 v.
15 ISAIAH OUTLAW,
Defendant.

Case No. 10-cr-455-GMN-LRL

UNOPPOSED MOTION FOR
EARLY TERMINATION OF
SUPERVISED RELEASE

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17 Comes now the defendant, Isaiah Outlaw, by and through his counsel of record,
18 Raquel Lazo, Assistant Federal Public Defender, and hereby files this Unopposed Motion for
19 Early Termination of Supervised Release. This request is based on the Points and Authorities
20 attached hereto.

21 DATED this 12th day of October, 2016.

22 RENE L. VALLADARES
Federal Public Defender

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24 By: /s/Raquel Lazo

25 RAQUEL LAZO
Assistant Federal Public Defender
26 Attorney for Isaiah Outlaw

1 **MEMORANDUM OF POINTS & AUTHORITIES**

2 On June 27, 2011, this Court sentenced Mr. Outlaw to 37 months custody followed by
3 a 3-year term of supervised release. *See* Judgment (#46); *see also* Amended Judgment (#60).
4 Both standard and special conditions were imposed. *Id.* Days after he was sentenced, it was
5 discovered that Mr. Outlaw had a cancerous brain tumor. *See* Motion (#47). Mr. Outlaw was
6 ultimately diagnosed with brain (glioblastoma) and spinal cancer. He was given no more than
7 12 months to live.

8 Based on the medical issues, Judge Pro released Mr. Outlaw under pretrial supervision
9 and continued Mr. Outlaw's self-surrender date to permit Mr. Outlaw to receive the necessary
10 medical treatment prior to surrendering to FCI Terminal Island. *See* Minutes (#59). Mr. Outlaw
11 received aggressive treatment with Dr. Portnow at City of Hope Comprehensive Cancer Center
12 in Los Angeles. In addition to chemotherapy, he also underwent novel treatment wearing the
13 Optune device.¹

14 Mr. Outlaw defied all odds. More than two years after his sentencing, Mr. Outlaw was
15 still alive and battling cancer. On September 25, 2013, Mr. Outlaw surrendered to FCI Terminal
16 Island. Defense counsel sought compassionate release but BOP denied the request stating that
17 they were medically able to care for Mr. Outlaw.

18 On December 1, 2015, Mr. Outlaw was released from custody and commenced his term
19 of supervised release. Mr. Outlaw has been on supervision for nearly one year. During this
20 time, he has complied with every condition of his supervised release and has been accountable
21 to his probation officer at all times. He has not had a single violation.

22 Mr. Outlaw, who is 29 years old, is still battling brain and spinal cancer. It is incurable.
23 He walks with a cane. He has significant memory loss. Because of his diagnosis, Mr. Outlaw
24 is not able to work. He spends all of his time at home with his mother and sister. He requires
25 assistance for daily functions. His mother is his full-time caretaker.

26 _____
¹ Optune is a wearable and portable device that delivers continuous therapy to the area
of the brain where the glioblastoma tumor is located.

1 It has been over six years since the offense occurred. Mr. Outlaw is not a danger to the
2 community. He no longer requires supervision. Particularly given his medical condition, it is
3 no longer in the interest of justice to continue Mr. Outlaw under supervision for another two
4 years.

5 Probation has no opposition to this request. Given Mr. Outlaw's medical condition,
6 Probation Officer Mummey does not believe that supervision is beneficial to either the
7 community or Mr. Outlaw. Probation has also confirmed that Mr. Outlaw is fully complaint
8 and has satisfied all conditions of his supervised release.

9 Government counsel similarly has no opposition to the early termination request.

10 Dated this 12th day of October, 2016.

11 Respectfully submitted,

12 RENE L. VALLADARES
13 Federal Public Defender

14 By: /s/Raquel Lazo

15 RAQUEL LAZO
16 Assistant Federal Public Defender
17 Attorney for Isaiah Outlaw
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1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA
3

4 UNITED STATES OF AMERICA,
5 Plaintiff,
6 v.
7 ISAIAH OUTLAW,
8 Defendant.
9

Case No. 10-cr-455-GMN-LRL

PROPOSED ORDER TO
TERMINATE SUPERVISED
RELEASE

10 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that Defendant Isaiah
11 Outlaw's term of supervised release is terminated.
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13 DATED this 17 day of October, 2016.
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20 UNITED STATES DISTRICT COURT JUDGE
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CERTIFICATE OF ELECTRONIC SERVICE

The undersigned hereby certifies that he is an employee of the Federal Public Defender for the District of Nevada and is a person of such age and discretion as to be competent to serve papers.

That on October 12, 2016, he served an electronic copy of the above and foregoing

UNOPPOSED MOTION FOR EARLY TERMINATION OF SUPERVISED RELEASE

by electronic service (ECF) to the person named below:

DANIEL G. BOGDEN
United States Attorney
NICHOLAS DICKINSON
Assistant United States Attorney
501 Las Vegas Blvd. South
Suite 1100
Las Vegas, NV 89101

/s/ Brandon Thomas
Employee of the Federal Public Defender